

**TITLE 16. DEPARTMENT OF CONSUMER AFFAIRS  
BUREAU OF SECURITY AND INVESTIGATIVE SERVICES**

**NOTICE IS HEREBY GIVEN** that the Bureau of Security and Investigative Services (hereinafter referred to as “BSIS”) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at 1625 N. Market Boulevard, Hearing Room, First Floor South, Room 102, Sacramento, CA 95834 on June 27, 2006, beginning at 10:00 a.m.

Written comments, including those sent by mail, facsimile, or e-mail to the address listed under Contact Person in this Notice, must be received by this office no later than 5:00 p.m. on June 27, 2006.

The BSIS, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text.

**Authority and Reference:** Business and Professions Code section 7574.2 authorizes the Director of Consumer Affairs to amend, adopt, or repeal regulations for the administration and enforcement of the Proprietary Security Services Act. Business and Professions Code sections 7574, 7574.1, 7574.2, and 7574.3, establish the requirements for proprietary private security officers. The proposed amendments to sections 600.1, 601.3, 602, 602.1, 603, 605, 606, 607.4, 608.3, and 627, and the adoption of sections 601.5 and 642.5, of Title 16 of the California Code of Regulations, will enable BSIS to implement the registration of proprietary private security officers.

**INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Business and Professions Code section 7574.2 authorizes the Director to amend, adopt, or repeal regulations for the administration and enforcement of the Proprietary Security Services Act. Statutes of 2005, Chapter 655 (SB 194), allows BSIS to implement the registration of proprietary private security officers.

1. The amendments to sections 600.1, 601.3, 602, 602.1, 603, 605, 606, 607.4, 608.3, and 627 in addition to the adoption of sections 601.5 and 642.5 of Title 16 of the California Code of Regulations, will enable BSIS to implement the required registration of proprietary private security officers as mandated by SB 194. These requirements are contained in sections 7574 through 7574.3 of the California Business and Professions Code.
2. Amendment of subdivision (c)(2) of section 608.3 would change the fees charged for a replacement registration or licensing card. Sections 7583.30 and 7585.16 of the Business and Professions Code, enacted by Chapter 1285 Statutes of 1994 (AB 3291) mandated the change of fees. However, corresponding changes have not yet been made to the regulations. Although the existing regulations specify the lesser fee, BSIS has been charging the higher fee,

mandated by statute, since 1994. These proposed amendments are non-controversial and non-substantial and will conform the regulations to the statute.

3. The proposed amendments to subdivisions (e) and (f) of section 627 accommodate mandates effective in 1985 by Chapter 1299, §11, Statutes of 1984, which enacted Business and Professions Code section 7583.20. That statute changed renewals timing from renewing at the same time each year to a cyclical renewal period. It also allowed security guard registrants a 60-day delinquency period in which to renew their guard registrations. The proposed change would allow security guards to renew their guard registrations by paying the renewal fee plus a delinquency fee. BSIS has been following the statutory law since it became effective in 1985. The proposed amendments are non-controversial and non-substantive in that they conform the regulations to the statute.
4. The proposed amendment of section 601.5 clarifies the requirements for filing an application for a proprietary private security officer registration as well as the requirement to submit fingerprints for a criminal history background. The proposed amendment of section 642.5 clarifies the initial registration and renewal fees for proprietary private security officers.
5. BSIS proposes addition of the authority provided by Chapter 11.4 (Proprietary Security Services Act) of the California Business and Professions Code to all of the above sections.

### **FISCAL IMPACT ESTIMATES**

**Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:** NONE

**Nondiscretionary Costs/Savings to Local Agencies:** NONE  
**Local Mandate:** NONE

**Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement:** NONE

#### **Business Impact:**

BSIS has made an initial determination that the proposed regulatory action will not have a significant, statewide economic impact directly affecting California businesses, it will not effect the ability of California businesses to compete with businesses in other states.

### **Impact on Jobs/New Businesses:**

BSIS has determined that this regulatory proposal will have an impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

### **Cost Impact on Private Persons or Entities:**

BSIS has determined that the proposed regulatory action will have a slight cost impact that a representative private person would necessarily incur in reasonable compliance with the proposed action. The costs consist of an initial licensing fee of \$50 and the fingerprint processing fees of \$56. The licensing renewal fee is \$35 biannual. These costs are necessary to ensure public safety and security.

### **Effect on Housing Costs:** NONE

## **EFFECT ON SMALL BUSINESS**

BSIS has determined that the proposed regulations will have an effect on small businesses because the regulations do require proprietary private security officers to register with BSIS, pay a registration fee, and submit fingerprints for a criminal history background check. In some instances the costs associated with the security guard registration may be absorbed by the officer's employer.

## **CONSIDERATION OF ALTERNATIVES**

The Bureau must determined that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

## **STATEMENT OF REASONS AND INFORMATION**

BSIS has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

## **TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations and of the Statement of Reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from BSIS of Security and Investigative Services at 2420 Del Paso Road, Suite 270, Sacramento, California 95834.

**AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

**CONTACT PERSON**

Inquiries concerning the proposed administrative action may be addressed to:

Name:	Noreene DeKoning
Address:	2420 Del Paso Road, Suite 270 Sacramento, CA 95834
Telephone No.:	(916) 575-7054
Fax:	(916) 575-7287
E-Mail:	noreene_dekoning@dca.ca.gov

The backup contact person is:

Name:	Donna Jacobsen
Address:	2420 Del Paso Road, Suite 270 Sacramento, CA 95834
Telephone No:	(916) 575-7052
Fax:	(916) 575-7287
E-Mail Address:	bsis@dca.ca.gov

Inquiries concerning the substance of the proposed regulation may be directed to Noreene DeKoning at telephone number, (916) 575-7054.

**Web site Access:** Materials regarding this proposal can be found on the BSIS's web site at **www.dca.ca.gov/bsis**.